

## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN**

**May 4, 2010**  
**Mayor and all Aldermen**

**7:30 PM**  
**Aldermanic Chambers**  
**City Hall (3<sup>rd</sup> Floor)**

1. Mayor Gatsas calls the meeting to order.
2. The Clerk calls the roll.

#### **CONSENT AGENDA**

3. Mayor Gatsas advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

#### **Accept BMA Minutes**

- A. Minutes of meetings held on May 12, 2009 (one meeting), May 18, 2009 (one meeting), May 26, 2009 (one meeting), June 2, 2009 (three meetings), June 16, 2009 (one meeting), July 7, 2009 (two meetings), August 18, 2009 (three meetings), September 1, 2009 (two meetings) and September 22, 2009 (two meetings).

#### **Approve under supervision of the Department of Highways**

- B. Pole Petitions:

11-1267      Jewett Street

#### **Approve under supervision of the Department of Highways; subject to funding availability**

- C. Sidewalk Petition:

117 Everett Street

188 Pickering Street  
336 Lowell Street  
7 Lincoln Street  
967 Lake Shore Road  
752 Hanover Street

**Information to be Received and Filed**

- D. Monthly Bulletin from the City of Manchester Health Department for April 2010.
- E. Communication from Mayor Gatsas regarding the FY2010 Federal allocations of several HUD formula programs. The Planning & Community Development Department will be reporting to the CIP Committee on specific projects in the future as needed.

**REFERRALS TO COMMITTEES**

**COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

- F. Communication from the Economic Development Director requesting a water and sewer line extension agreement on behalf of the Job Corps Center on Dunbarton Road.

**COMMITTEE ON FINANCE**

- G. Resolutions:

Amending the FY2010 Community Improvement Program, authorizing and appropriating funds in the amount of Ninety Six Thousand, Eight Hundred and Twenty-Six Dollars (\$96,826) for the FY2010 CIP project #412910 VAWA.

Amending the FY2010 Community Improvement Program, authorizing and appropriating funds in the amount of Four Hundred Thousand Dollars (\$400,000) for the FY2010 CIP project #612510 EPA Brownfield Assessment Grant Project.

Amending the FY2010 Community Improvement Program, authorizing, transferring and appropriating funds in the amount of Five Hundred Thirteen Thousand Four Hundred and Thirty-Six

Dollars (\$513,436) for the FY2010 CIP project #412010 SCBA Replacement Project.

Amending the FY2011 Community Improvement Program, authorizing and appropriating funds in the amount of Four Hundred Seventy Nine Thousand Dollars (\$479,000) for the FY2011 CIP 210511 Public Health Preparedness Program.

## **REPORTS OF COMMITTEES**

### **COMMITTEE ON ACCOUNTS, ENROLLMENT & REVENUE ADMINISTRATION**

- H.** Advising that the travel summary reports from various City departments have been approved.  
*(Unanimous vote)*
- I.** Advising that it has accepted the City's Monthly Financial Statements (unaudited) for nine months ending March 31, 2010 and is forwarding same to the Board for informational purposes.  
*(Unanimous vote)*
- J.** Advising that it has accepted the summary of the over 90 days open invoice report, department legend and the detailed open invoice report over 90 days and is forwarding same to the Board for informational purposes.  
*(Unanimous vote)*
- K.** Advising that it has approved the third quarter fiscal year 2010 write-off list for the Accounts Receivable module.  
*(Unanimous vote)*
- L.** Advising that the FY 2010 Budget Forecast has been received and filed.  
*(Unanimous vote)*
- M.** Recommending that Ordinance Amendments:  
  
"Amending Chapter 92 Fire Prevention of the Code of Ordinances of the City of Manchester by establishing annual Radio Master Box fees per building and increasing the charges for fire system inspections and false alarms."

“Amending Chapter 93 Alarms of the Code of Ordinances of the City of Manchester by increasing the annual Alarm permit renewal fee and restructuring the false alarm fee schedule.”

“Amending Section 111.45 Amusement Device License and Fees of the Code of Ordinances of the City of Manchester by increasing the license fee associated with each so called ‘video poker’ machine or ‘slot’ machine.”

“Amending Appendix A of the Subdivision and Site Plan Regulations of the City of Manchester providing for the establishment of new fees.”

“Amending Appendix A of the Subdivision and Site Plan Regulations of the City of Manchester providing for the increase of certain fees.”

“Amending Chapter 155 Zoning Code, Subsection 155.02 of the Code of Ordinances, and providing for the increase of certain fees.”

“Amending Section 70.78 to increase the penalty for parking within 15 feet of a fire hydrant.”

“Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.36 Stopping, Standing and Parking by adding Section (G) Parking Regulations Compact Part of City”

“Amending Chapter 70.55 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by establishing (G) Use of residential parking permits and adding a sentence to section (1) and a new section (4) for parking regulations compact part of the city.”

“Amending Section 70.54 of the Code of Ordinances of the City of Manchester by establishing a City Hall Parking Lot and removing Seal Tanning and Granites Street Lots.”

“Establishing a special purchasing procedure relating to the Employee Assistance Program and substance abuse counseling for City employees.”

“Amending Chapter 35 of the Code of Ordinances by inserting a new section 35.037, Roadway Improvement Reserve Account.”

“Amending the Building Code of the City of Manchester as adopted in Chapter 151.01 of the City of Manchester Code of Ordinances, by adding the 2009 edition of the International Existing Building Code as an

additional tool in regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings.”

ought to pass and be Enrolled.

*(Unanimous vote)*

#### **COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

- N.** Advising that the communication regarding consideration of charging a fee to organizations whose banners hang over Hanover Street has been received and filed.  
*(Unanimous vote)*

- O.** Recommends that a communication from the Parks & Recreation Division regarding a waiver of the Fair License fee related to the City’s Independence Day Celebration at Arms Park be approved.  
*(Unanimous vote)*

- P.** Advising that a communication from the Information Systems Department regarding a new computer system provided by Innoprise Software has been received and filed.  
*(Unanimous vote)*

#### **COMMITTEE ON LANDS AND BUILDINGS**

- Q.** Recommending that City property located on Riverdale Avenue, also known as lot number 676-5, be deemed surplus to City needs and sold directly to the abutting property owner of lots numbered 676-3 and 676-4 (Berchmans L. Vaillancourt of 412 West Mitchell Street).

The Committee further recommends that the City Assessor be directed to determine the fair market value of the property and said sale shall be conditional upon the merger of this lot with the two lots currently owned by the purchaser identified above as well as the granting of an appropriate Dunbar Street road easement subject to the review and approval of the Highway Department and City Solicitor.

The Committee notes that an ordinance authorizing the disposition of this City-owned lot in the manner suggested herein will be presented to the Board by the City Solicitor.

*(Unanimous vote - Note: An ordinance authorizing disposition of said property has been prepared by the Solicitor and attached to the Board agenda for consideration. Unless a member of the Board takes this item off the agenda to suspend the rules and ordain the related ordinance, this ordinance will be referred to the Committee on Bills on Second Reading for technical review.)*

- R.** Recommending that City property located on Phillip Street, also known as lots numbered 861-32 and 861-32A, be deemed surplus to City needs and sold directly to the abutting property owner of lots numbered 861-33A and 861-42 through 44 (France L. Howard of 126 Phillip Street) for \$4,000 subject to the review and approval of the City Solicitor.

The Committee notes that an ordinance authorizing the disposition of this City-owned lot in the manner suggested herein will be presented to the Board by the City Solicitor.

*(Unanimous vote with the exception of Alderman Roy who voted in opposition - Note: An ordinance authorizing disposition of said property has been prepared by the Solicitor and attached to the Board agenda for consideration. Unless a member of the Board takes this item off the agenda to suspend the rules and ordain the related ordinance, this ordinance will be referred to the Committee on Bills on Second Reading for technical review.)*

- S.** Advising that it has referred a request from the Friends of the Valley Cemetery for input for the cemetery master plan to the Parks and Recreation Division.

The Committee notes that Alderman Long has agreed to attend the monthly meetings of the Friends of the Valley Cemetery.

*(Unanimous vote)*

- T.** Recommending that an RFP for development of City owned property at Granite and Second Streets be issued by the Economic Development Office.

*(Unanimous vote)*

- U. Advising that a draft agreement submitted by the City Solicitor's Office between the City of Manchester and the Manchester Dog Park Association for a proposed dog park in the city has been received and filed.  
*(Unanimous vote)*
  
- V. Advising that a communication from the Parks and Recreation Division regarding dog park site investigations for Dunbarton Road and Crescent Road has been received and filed.  
*(Unanimous vote)*

#### **SPECIAL COMMITTEE ON SOLID WASTE ACTIVITIES**

- W. Recommending that the City enter into an agreement with the Town of Goffstown related to a single-stream recycling pilot project in the downtown as proposed.  
*(Unanimous vote)*

#### **SPECIAL COMMITTEE ON RIVERFRONT ACTIVITIES & BASEBALL**

- X. Recommending the acceptance of the River's Edge Warranty Deed.  
*(Unanimous vote)*

**LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.**

- 4. Nomination(s) to be presented by Mayor Gatsas, if available.  
**Ladies and Gentlemen, what is your pleasure?**
  
- 5. Confirmation(s) to be presented by Mayor Gatsas.  
**Board of Health**  
Fernando Ferrucci, M.D. to succeed Laura Smith Emmick, M.D., (term limited), term to expire July 1, 2013.  
**Conduct Board**  
Scott Sieper, to fill a vacancy as a member, term to expire October 1, 2012.

6. Report(s) of the Committee on Public Safety, Health and Traffic, if available.  
**Ladies and Gentlemen, what is your pleasure?**
7. Report(s) of the Committee on Community Improvement, if available.  
**Ladies and Gentlemen, what is your pleasure?**
8. Report(s) of the Committee on Human Resources, if available.  
**Ladies and Gentlemen, what is your pleasure?**
9. A motion is in order to recess the meeting to allow the Committee on Finance to meet.
10. Mayor Gatsas calls the meeting back to order.
11. Report(s) of the Committee on Finance, if available.  
**Ladies and Gentlemen, what is your pleasure?**
12. Ordinances: **(A motion is in order to read by titles only.)**
  - “Amending Chapter 92 Fire Prevention of the Code of Ordinances of the City of Manchester by establishing annual Radio Master Box fees per building and increasing the charges for fire system inspections and false alarms.”
  - “Amending Chapter 93 Alarms of the Code of Ordinances of the City of Manchester by increasing the annual Alarm permit renewal fee and restructuring the false alarm fee schedule.”
  - “Amending Section 111.45 Amusement Device License and Fees of the Code of Ordinances of the City of Manchester by increasing the license fee associated with each so called ‘video poker’ machine or ‘slot’ machine.”
  - “Amending Appendix A of the Subdivision and Site Plan Regulations of the City of Manchester providing for the establishment of new fees.”

“Amending Appendix A of the Subdivision and Site Plan Regulations of the City of Manchester providing for the increase of certain fees.”

“Amending Chapter 155 Zoning Code, Subsection 155.02 of the Code of Ordinances, and providing for the increase of certain fees.”

“Amending Section 70.78 to increase the penalty for parking within 15 feet of a fire hydrant.”

“Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.36 Stopping, Standing and Parking by adding Section (G) Parking Regulations Compact Part of City”

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“Establishing a special purchasing procedure relating to the Employee Assistance Program and substance abuse counseling for City employees.”

“Amending Chapter 35 of the Code of Ordinances by inserting a new section 35.037, Roadway Improvement Reserve Account.”

“Amending the Building Code of the City of Manchester as adopted in Chapter 151.01 of the City of Manchester Code of Ordinances, by adding the 2009 edition of the International Existing Building Code as an additional tool in regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings.”

“Amending Section 33.024, 33.025, & 33.026 (Airport Chief Financial Officer) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.024, 33.025, & 33.026 Assistant Airport Director (Air Services Development & Marketing) of the Code of Ordinances of the City of Manchester.”

**These ordinances having had their final reading by titles only, the question is on passing same to be Ordained.**

**13. Resolutions: (A motion is in order to read by titles only.)**

“Amending the FY2010 Community Improvement Program, authorizing and appropriating funds in the amount of Ninety Six Thousand, Eight Hundred and Twenty-Six Dollars (\$96,826) for the FY2010 CIP #412910 VAWA.”

“Amending the FY2010 Community Improvement Program, authorizing and appropriating funds in the amount of Four Hundred Thousand Dollars (\$400,000) for the FY2010 CIP #612510 EPA Brownfield Assessment Grant Project.”

“Amending the FY2010 Community Improvement Program, authorizing, transferring and appropriating funds in the amount of Five Hundred Thirteen Thousand Four Hundred and Thirty-Six Dollars (\$513,436) for the FY2010 CIP #412010 EPA SCBA Replacement Project.”

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**A motion is in order that the Resolutions ought to pass and be Enrolled.**

**14. A motion is in order to recess the meeting to meet with legal council.**

**TABLED ITEM**

*A motion is in order to remove this item from the table.*

**15. Petition for discontinuance of Barrister Lane.**

*(Note: Tabled March 3, 2010 - The petition is awaiting signature from the State of NH. An email sent to the project manager on March 16, 2010 is attached.)*

**NEW BUSINESS**

**16. A. Communications  
B. Aldermen**

**17. If there is no further business, a motion is in order to adjourn.**